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Judge refuses to split up tax, spy trials

SAN FRANCISCO (UPI) — James D. Harper, the engineer accused of selling military secrets to Polish spies, lost a round in federal court Wednesday in his attempt to separate spy charges from tax evasion claims. But Harper will get back his teddy bear, which was seized by the government.

Federal Judge Samuel Conti refused to order separate trials for the spying and tax charges. He also ordered Harper's attorney to tell the government by the end of the week whether Harper will use an insanity defense as part of the case.

Harper, 49, pleaded innocent in December to six charges of stealing sensitive Minuteman missile

secrets and documents outlining America's ability to survive a nuclear attack.

The government alleges that Harper sold them to Polish agents and that the Poles later delivered the information to Russian KGB agents.

The trial is set to open April 24.

Among the pretrial motions was a request by defense attorney Jerrold Ladar for the return of Harper's personal property seized during the investigation, including a teddy bear, a porcelain pig, a Slinky toy, books on the CIA and a videotape of the film "Gorky Park."